

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

SUPPLEMENTAL
AFFIDAVIT
05 CR 185 (AKH)

WILLIAM HENRIQUEZ,

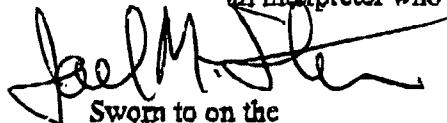
Defendant.

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WILLIAM HENRIQUEZ, being duly sworn, hereby deposes and states under penalty of perjury:

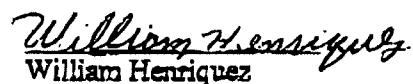
1. I am the defendant in the above-captioned matter.
2. This supplemental affidavit is submitted in support of my request that the Court enter an order precluding the government from cross-examination or rebuttal of other evidence or legal or factual arguments based upon statements attributed to me at a meeting with representatives of the government on September 24, 2003 when I was represented by my previous attorney, Valerie Amsterdam.
3. Based upon the prosecutor's statement at a proceeding before Judge Barbara S. Jones before whom my case charging illegal entry was pending, it was my understanding at that time that the government was investigating an incident which has not yet resulted in charges against me. My lawyer did not explain that that incident may not be the subject of a federal prosecution.
4. About two weeks before the meeting with government representatives, I conferred with my attorney, for less than a half hour, concerning that meeting.
5. Ms. Amsterdam did not discuss with me an incident which is alleged to have occurred in the vicinity of 5 Cabrini Blvd., New York, New York, in August 2000 which is the subject of this indictment.

6. At my meeting with Ms. Amsterdam, she did not discuss with me the subject of potential capital punishment.
7. At my meeting with Ms. Amsterdam, she did not discuss with me or explain in any way the terms of a proffer agreement which I signed at the meeting with government representatives.
8. At my meeting with Ms. Amsterdam she did not discuss with me any evidence which the government may have had to implicate me in the capital charges which are contained in this indictment.
9. At my meeting with Ms. Amsterdam, she did not discuss with me whether or not it was advisable to meet with government representatives.
10. About five minutes before my meeting with government representatives, Ms. Amsterdam read to me the terms of a proffer agreement which I later signed at that meeting. She did not explain to me the terms of the agreement.
11. Before signing this affidavit, it was translated for me into Spanish by an interpreter who was assisting my attorney.



Sworn to on the
day of September
2006

JOEL M. STEIN
District Public, State of New York
No. 24-4672474
Qualified in Kings County
Commission Expires Aug. 31, 198-2010


William Henriquez